

## CITY COUNCIL MINUTES

September 12, 2011

### REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, September 12, 2011 at 6:00 p.m. with Mayor Kirby presiding and City Clerk Joseph G.R. Labrie recording the minutes.

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

Civil Air Patrol Cadets

### ROLL CALL:

**Council Members Present:** Bridget Powers, Kevin Hanley, J. M. "Mike" Holmes, Keith Nesbitt, William W. Kirby

**Council Members Absent:** None

**Staff Members Present:** City Manager Robert Richardson, City Attorney Michael Colantuono, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Police Sergeant Michael Garlock and Police Chief John Ruffcorn.

### AGENDA APPROVAL

City Manager Robert Richardson removed the August 8, 2011 minutes from the agenda. With this change, the agenda was approved by consensus of the Council.

### CONSENT CALENDAR

Council Member Holmes removed item 6 from the consent calendar.

1. **Warrants**

By **RESOLUTION 11-100** approve Warrants # 77988 through 78272 totaling \$1,459,534.04.

2. **Minutes**

Removed from the agenda.

3. **Auburn Municipal Airport – East Area Hangar Project Amendment No. 7 to Consultant Agreement**

By **RESOLUTION 11-101** approve Amendment No. 7 to the consultant agreement with Mark A. Machado in the amount not to exceed \$30,000.

4. **College Heights Extension Accepting Dedications of Right of Way**

By **RESOLUTION 11-102** formally accept the offer of dedication on the face of the map and direct the City Manager to record that resolution.

5. **Auburn Transit – Transit Shelter Purchase for the Mikkelsen Drive Bus Shelter Project**

By **RESOLUTION 11-103** authorize the Director of Public Works to purchase a Transit Shelter from Capital Improvements for the Mikkelsen Drive Bus Shelter Project.

6. **Proposed Home Rule for Auburn Charter of 2012**

Removed from consent calendar. See item 8a.

7. **Auburn Municipal Airport Commercial Office Lease – California Wing Civil Air Patrol, Auburn Composite Squadron 92**

By **RESOLUTION 11-104** authorize the City Manager or his designee to execute a 3-year commercial office lease between the City of Auburn, a Municipal Corporation, and the California Wing Civil Air Patrol, Auburn Composite Squadron 92, Lessees.

8. **Quarterly Report of Investments – Quarter Ending June 30, 2011**

Receive, review and file the "City of Auburn Quarterly Investment Report" for the quarter ending June 30, 2011.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION**, approve the consent calendar, excluding item 2 & 6.

**MOTION: Nesbitt/ Powers/ Approved 5:0**

8a. **Proposed Home Rule for Auburn Charter of 2012**

Council Member Holmes said due to his absence at the last meeting when the full discussion took place, he wanted to reconfirm that he is in favor of the changes made.

Council Member Hanley said he appreciates the input from the public in drafting the charter. He said it was a "true community effort".

Mayor Kirby said the charter was worked through very carefully and said it is a solution that allows Auburn to have more Home Rule without allowing for increased salaries and benefits to the Council.

By **RESOLUTION 11-105** place the charter before the voters at the June 5, 2012 election.

**MOTION: Holmes/ Hanley/ Approved 5:0**

9. **Public Comment**

Council Member Nesbitt sadly announced the death of Ross Carpenter. He said Mr. Carpenter was a fixture in Old Town Auburn and a gentleman.

Council Member Holmes recognized Ross Carpenter for his contributions to Auburn. He also thanked the people who took part in the 9/11 remembrance during Cruise Night.

Council Member Powers said there is a celebration of life for Gilbert Ortega "Gilbert" who recently passed away. She said he was well known for riding his bike around town daily.

Mayor Kirby addressed the availability and design of the 9/11 memorial that is being created by the City and Arts Commission.

Sergeant Scott Seither, Civil Air Patrol, Squadron 92, thanked the Council for approving the lease for their new headquarters at the Auburn Municipal Airport.

**REPORTS**

10. **City Council Committee Reports**

Council Member Holmes reported on behalf of the Arts Commission on the progress of the 9/11 Memorial. He also reported on his trip to Washington D.C. He said he attended meetings in regards to the Auburn State Recreation Area. He reported that the Auburn Grammar School Building is being considered for the National Historic Registry.

Council Member Powers reported that the Placer Economic Development Board will meet Thursday at 3pm at the Flower Farm. She also reported that Auburn Airport Business Park Association is having their monthly meeting on September 29<sup>th</sup>.

Council Member Nesbitt reported on the Placer County Transportation Planning Agency and the Short Range Transit Plan. He also reported on the Economic Development Commission's push to recruit more businesses to the Auburn Airport Business Park.

## **COUNCIL BUSINESS**

### **11. Police Utility Vests**

Police Sergeant Michael Garlock presented this item. He said officers would like the option to wear an equipment vest as opposed to an equipment belt. He explained the benefits of using an equipment vest.

Council Member questions followed regarding safety advantages to carrying a belt as opposed to a vest, design of the vest, durability, cost, vendor and uniform allowance.

Council Member Hanley spoke about preventing back injuries by using vests.

By **MOTION**, allow the Police Officers to choose to wear a vest as an option to carry their police equipment.

**MOTION: Nesbitt/ Holmes/ Approved 5:0**

### **12. Temporary Art Program**

Public Works Director Bernie Schroeder presented this item. She said the 2 year program is modeled after the Roseville Temporary Art program. She reviewed the application and selection process, monetary obligation, liability, and maintenance. She also reviewed the city's responsibilities and the artist's responsibilities.

Lee Buckingham, commissioner on the Arts Commission, explained how the program would work.

Council Member questions followed regarding: (1) costs, (2) art locations, (3) pieces that sell while on display, (4) approval process, (5) vandalism, (6) marketing materials, and (7) removal of art pieces.

Bernie Schroeder said selling of the art piece could be addressed in the agreement. She said creating a one-year minimum placement of the art so that installation costs are worthwhile. She also addressed the review process for the temporary art. She said the piece would be reviewed by Public Works and the Arts Commission before coming to City Council for approval. She said there will be a plaque placed with the title of the work and the artists name at the location of the art.

City Attorney Michael Colantuono said in addressing vandalism that there is a maintenance agreement for each piece of art. He said the City will be responsible only to maintain the art piece.

Mayor Kirby said he would like the wording on the removal of the art piece to say the City may remove the art piece if "they determine to do so at their discretion".

Jeff Cowen, resident of Auburn, asked for clarification regarding the liability issue to the City.

Council Member Holmes said there needs to be a clear understanding of who is responsible for the art piece once it's in place.

Council Member Nesbitt said he is concerned about the honorarium. He said he would rather see a negotiated honorarium. He said he would like to see a commission to the City if a piece was sold while on display. He said it's important to not deviate from the themes that have been predetermined by the Streetscape History and Art Advisory Committee.

Council Member Powers thanked the Arts Commission for all the hard work they have done with this project. She said she fully supports this effort.

Mayor Kirby said the honorarium needs to be looked at by the Arts Commission. He said it needs to be individually determined by what the art requires, sizes, types, pedestal size that it will be placed on. He said \$1,500 for each piece may not be appropriate. He said the obligation to maintain and take care of the art also needs to be looked at. He said the Arts Commission has done a great job in taking this temporary art project and moving forward. He said he hopes to see temporary art placed within the City within a year.

\*\*\*Council recessed for 5 minutes\*\*\*

13. **Department of Public Works – Capital Improvement Projects Work Plan 2011-2012**

Public Works Director Bernie Schroeder presented this item. She reviewed the Annual Capital Improvement Projects Work Plan. She covered the Sewer System, Streets, Storm Drains, Auburn Urban Redevelopment Authority, Transit, General Community, Airport, City Buildings/ Facilities/ Properties and Capital Equipment Purchases (full presentation available in the City Clerks office).

Council Member questions followed regarding: (1) street overlay projects, (2) streetscape phase 2 landscape, (3) regionalization of wastewater treatment plant, (4) dump truck compliance, (5) actual cost of sewer/storm drains emergency repairs, (6) separated sidewalks, (7) bird remediation, (8) storm water mandates, (9) Safe Route to School project, (10) funding for airport projects, (11) library building, and (12) equipment purchases.

Council Member comments followed regarding: (1) ladder fire truck grant request, (2) meetings with Placer County regarding a regional wastewater option, and (3) appreciation of the Public Works Department.

## **ADJOURNMENT**

Mayor Kirby adjourned the meeting, without objection, at 7:30 p.m. in honor of all those who lost their lives on 9/11/2001.

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William W. Kirby, M.D., Mayor

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Joseph G. R. Labrie, City Clerk

## **CITY COUNCIL MINUTES**

**September 26, 2011**

### **REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, September 26, 2011 at 6:00 p.m. with Mayor Kirby presiding and City Clerk Joseph G.R. Labrie recording the minutes.

#### **CALL TO ORDER**

#### **ROLL CALL:**

**Council Members Present:** Bridget Powers, Kevin Hanley, J. M. "Mike" Holmes, Keith Nesbitt, William W. Kirby

**Council Members Absent:** None

**Staff Members Present:** City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogio, Public Works Director Bernie Schroeder, Administrative Services Director Andy Heath, Police Chief John Ruffcorn and Associate Planner Lance Lowe.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6:

**MOTION: Hanley/ Powers/ Unanimously approved by voice**

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

- (1.) Existing Litigation:  
(G.C. 54956.9 (a))

Name of Case: Ronald Fisher and Judy Fisher v. City of Auburn et al.

Names of Parties: Plaintiffs: Ronald Fisher and Judy Fisher. Defendant: City of Auburn

Case No. S-CV-23750 (Placer Superior Court)

- (2) Conference with Labor Negotiators:  
(G.C. 54957.6)

Agency Designated Representative: Patrick Clark, Robert Richardson

Employee Groups: Local 39  
Fire

## **REPORT OUT OF CLOSED SESSION**

No reportable action.

## **PLEDGE OF ALLEGIANCE**

## **MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ ANNOUNCEMENTS**

A "Way to Go" Week Proclamation was presented to Public Works Director Bernie Schroeder.

## **AGENDA APPROVAL**

The agenda was approved as presented by consensus of the Council.

## **CONSENT CALENDAR**

### **1. Minutes**

By **MOTION** approve City Council Minutes of 08/08/2011.

### **2. Surplus Equipment**

By **RESOLUTION 11-106**, declare as surplus to the City's needs the equipment listed on Exhibit A and direct staff to contract with an auctioneer to assist the City in disposal of equipment or properly dispose of items.

### **3. Second Reading of an Ordinance to Pre-zone property at 880 & 890 Foresthill Avenue**

Hold a Second Reading, by title only, and adopt an **ORDINANCE 11-08** to Pre-zone property to Open Space Conservation (OSC) and Agricultural Residential, Minimum Parcel Size 2.5 acres (AR-2.5) at 880 & 890 Foresthill Avenue respectively.

### **4. Auburn Municipal Airport – Professional Services Agreement with Jacobs Engineering Group, Inc.**

By **RESOLUTION 11-107**, authorize the Director of Public Works to execute a Professional Services Agreement with Jacobs Engineering Group, Inc. in an amount not to exceed \$43,522.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By MOTION approve the consent calendar.

**MOTION: Holmes/ Powers/ Approved 5:0**

Council Member Hanley abstained from item 3.

5. **Public Comment**

Ron Lawrence, Eureka Masonic Lodge 16 of Auburn, thanked the Police Chief and his department for the services they provide to his organization. He thanked the City Council for the newly constructed Central Square area. He asked the City Council to consider an engraved tile (to be paid for entirely by the Masons) to celebrate the 160<sup>th</sup> birthday of the Masons in Auburn by November 7, 2011.

Council conversation followed and it was determined this would be on the agenda for approval at the next council meeting.

Public Works Director Bernie Schroeder said the next Pharmaceutical Take Back Event is taking place October 29th, 10am-2pm.

**REPORTS**

6. **City Council Committee Reports**

Council Member Powers reported on the upcoming Airport Business Park Association meeting. She reported that the Placer County Economic Development Board is putting on a Placer County Manufacturers Forum on October 13<sup>th</sup> from 8am-2pm.

Council Member Hanley reported on the Fire Safe Council and the progress made with the Hidden Meadows subdivision.

Council Member Nesbitt reported on the Placer Country Transportation Planning Agency and the Capital Corridors JPA. He talked about upcoming improvements including Wi-Fi availability and e-ticketing.

Council Member Holmes reported on the grant from the Department of Homeland Security that was applied for to purchase a new ladder truck for the Fire Department. He said there are letters of support from Congressman McClintock and Senator LaMalfa being sent to Washington D. C. He reported on a meeting he will be having with a representative from the IRS to discuss free income tax returns for low-income families. He reported on the latest on funding for the Auburn State Recreation Area. He reported on a meeting he had with the Bureau of Reclamation.

Mayor Kirby reported on the continuing problem with panhandling at local shopping centers. He reported on the recent changes at the airport with staff.

## **COUNCIL BUSINESS**

### **7. Parking Management Old Town and Downtown**

Community Development Director Will Wong presented this item. He said the parking study was completed in 2009. He updated Council on all the actions that have been completed since the study was completed. He talked about existing parking problems in Old Town and Downtown Auburn. He also talked about the need for additional directional signage.

Council questions followed regarding: (1) parking survey times, (2) peak parking times, (3) outreach to business districts, (4) signage, (5) holiday season enforcement, (6) impact of current parking enforcement, (7) citation appeals, and (8) evening and weekend enforcement.

Council Comments followed regarding: (1) discussion with business associations before signage is installed, (2) employee/merchant parking, (3) holiday parking enforcement, (4) "co-sponsored" signs, (5) new studies during peak times, (6) discussion with business associations regarding holiday parking enforcement, (7) signage for 8 hour parking lots, and (8) traffic issues in Old Town.

A. By **MOTION**, direct staff to complete, after discussions with business districts, directional signage to public parking lots 1 Lincoln Way, lot 3 Cherry/Tennis, lot 8 Law Library and lot 9 Jury Lot (see Exhibit A for locations).

B. By **MOTION**, direct staff to discuss parking enforcement during the holiday season with the Downtown and Old Town Business Associations.

C. By **MOTION**, direct staff to discuss with the Downtown and Old Town Business Associations the parking report and develop changes in parking operations for implementation in the spring.

**MOTION: Hanley/ Nesbitt/ Approved 5:0**

## **ADJOURNMENT**

**Mayor Kirby adjourned the meeting, without objection, at 7:26 p.m.**

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William W. Kirby, M.D., Mayor

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Joseph G. R. Labrie, City Clerk